



## NEIGHBORHOOD COMMISSION

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET <http://www.honolulu.gov>

### MINUTES OF REGULAR MEETING MINUTES OF AUGUST 28, 2006 HONOLULU HALE, COUNCIL COMMITTEE ROOM, 2<sup>ND</sup> FLOOR, 530 SOUTH KING STREET

**CALL TO ORDER:** Chair Grant Tanimoto called the meeting to order at 7:05 p.m.

**Members Present:** Sheila Apisa, Clara Ching, Ed Gall, Bernard Kaahanui, Robin Makapagal, Jeanette Nekota, Kalene Sakamoto, Grant Tanimoto, Sylvia Young.

**Guests:** Debbi Glanstein and Jon Chinen (Kailua Neighborhood Board No. 31), Tom Heinrich, Ron Lockwood and Albert Furuto (McCully-Mo'ili'ili Neighborhood Board No. 8), Gary Bautista (Ewa Neighborhood Board No. 23), Darryn Ng (Kalihi-Palama Neighborhood Board No. 15), Tom Smyth (Downtown Neighborhood Board No. 13), Cruz J. Vina Jr. (Pearl City Neighborhood Board No. 21), Ray Gruntz (Waikiki Neighborhood Board No. 9), Daisy Murai, Janet Inamine, Jennifer Waihe'e (Corporation Counsel), Kioni Dudley (Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34).

**Staff:** Joan Manke (Executive Secretary), Michelle Kidani, Nola Frank, Marie Richardson.

**ROLL CALL OF COMMISSIONERS:** The following Commissioners answered the roll call - Apisa, Ching, Gall, Kaahanui, Makapagal, Nekota, Sakamoto, Tanimoto and Young; nine of nine commissioners were present.

#### FOR INFORMATION:

**Executive Secretary's Report:** Joan Manke extended a warm welcome to Robin Makapagal, the Commission's newest member. Makapagal was asked to give a brief background of herself.

Manke reported the following updates:

- Staff Transition: a) our first new neighborhood assistant found the position to be quite challenging and decided early on it was not for him and left the NCO after only two weeks. b) Bonnie Trustin, our newest Neighborhood Assistant, was referred from Work Links Hawaii with good qualifications. c) Neighborhood Assistant, Joey Manahan, resigned to run for State office in the Kalihi Palama District; and d) Allan Sato, Community Relations Specialists, resigned as well. Currently, the NCO is looking to fill these positions.
- Election Year Reminder – a memo was sent to all neighborhood board members that this is an election year and to be mindful of the “dos” and “don’ts” relative to the Neighborhood Plan and their scope of board business, as members. Approximately 20 board members are running for elected public office.
- Neighborhood Board System Audit Report: a) the City Auditor's report on the Neighborhood Board System was completed and was made available to the public on August 10, 2006. Notices were sent to all board members inviting them to link onto the City Auditor's website for review. The report included a copy of Manke's response which basically stated that many of the issues identified are currently being addressed and reviewed (the Revised Neighborhood Plan, lack of quorum issues, and also budget and training issues). Manke feels the NCO is on target and is encouraging neighborhood boards to put this matter on their agenda for discussion and response. She is also hoping that the valuable feed back would include board accomplishments as well.
- Council Resolution 06-291 – establishing a task force to review the effectiveness and efficiency of the Neighborhood Board System, was heard on Thursday, August 24, by the Executive Matters Committee. Several board members attended and gave testimony expressing concerns about the timing of the resolution. She noted that the boards needed time to digest the audit and to have a chance to respond to the resolution.
- New Agenda Item regarding “Complaints” – will be added as a standard item to the monthly Commission agenda to update the Commission on any outstanding or pending complaints.



**Committee Reports:**

**Budget Committee** – Sakamoto reported on the reactivation of the Budget Committee whose meeting preceded tonight's Commission meeting. The next meeting is scheduled for Monday, September 25 (preceding the Commission meeting). The committee looked at how the Boards are utilizing their allocated budget. For Fiscal Year 2005 – 2006 - \$40,967 was unused and went back to the General Fund. Kidani provided an evaluation with a breakdown of the Publicity budget with Boards exercising their option to utilize funds for videotaping or newsletters. Sakamoto thanked Kidani and the discussion will continue.

**Training Committee** – Nekota reported that the Training Committee also met prior to the Commission meeting. Nekota felt more time is necessary for brainstorming and to flush out topics and ideas. The next committee meeting is scheduled for Saturday, September 30, 2006, 2:00 p.m. - following the Permitted Interaction Group meeting for the Revised Neighborhood Plan.

**Permitted Interaction Group (PIGroup) – Neighborhood Plan:** Tanimoto reported the PIGroup met through the months of July and August and is steadily moving forward and will be meeting following tonight's Commission meeting to address substantive issues with regards to elections, procedures and rules applicable to the neighborhood boards. The PIGroup will continue its efforts to complete the RNP.

**Complaints:** Manke introduced the new "Complaints" agenda item. At the next Commission meeting, there will be a complete update of pending complaints.

Discussion followed: Dudley noted "Complaints" on tonight's Commission agenda, and asked that his complaint from the previous meeting be addressed at this time. In a briefing with Counsel Waihe'e, Chair Tanimoto affirmed Dudley's complaint is still going through the complaint process. Tanimoto was open to Dudley's request to address the Commission but wanted to be clear of the following: 1) that Dudley's particular complaint is not on tonight's agenda; and 2) that the Commission will not make any decisions tonight regarding Dudley's complaint; and with that Chair Tanimoto asked Dudley to proceed. Dudley thanked the Commission for the opportunity and asked to read through his complaint, which Tanimoto encouraged him to summarize.

Up until the time a complaint is accepted or rejected by the NCO, the Neighborhood Plan only allows communication between the Executive Secretary and the neighborhood board where the complaint is being heard. According to Dudley, there were mistakes and misunderstandings regarding the complaint process.

At the board's regular meeting, Dudley requested that the complaint item be added to the agenda. The board denied his request. He contends that the board did not fulfill its complaint response deadline date of August 7; and that there was no request by the board for an extension to review the complaint. Dudley felt for that reason he believed that there should have been a statement from the NCO saying whether the Commission has accepted the allegations in the complaint as fact. Therefore, he is asking that the Commission review the complaint and ask that the Makakilo/Kapolei/Honokai Hale Neighborhood Board officer election held in May be deemed invalid; and hopefully replacing the Chair with a Chair Pro-tem.

Chair Tanimoto opened the floor to questions; hearing none - Dudley was thanked for coming and the agenda resumed.

**ACTION:**

**Formation of Permitted Interaction Group to consider recommendations in the August 2006 Audit of the Neighborhood Board System as it relates to the Neighborhood Commission** – Chair Tanimoto testified at the Council hearing, as an individual. He said the resolution to establish a task force was premature and because of the timing did not provide the Commission with an opportunity to consult on the matter. The Commission is currently juggling a number of issues including the Budget Committee, Training Committee, and the PIGroup for the Revised Neighborhood Plan; and that everyone agreed on the importance and it needs to be considered. He entertained any interest to form a PIGroup to address the audit.

Discussion followed: 1) Nekota and Makapagal expressed interest, and Ching will take it under consideration. 2) Tanimoto mentioned that the staff is reviewing the audit and identifying points of concern as they apply to the Commission, the Neighborhood Commission Office and to the Neighborhood Boards. Kidani added that the working draft is far from complete; however, it is available if the Commission chooses to review it. 3) Gall shared

that there is a crossover with the RNP and the audit, and encouraged the PIGroup to work closely together; Chair Tanimoto acknowledged and agreed.

**Young moved, to form a PIGroup to address the Neighborhood Board System Audit; Nekota seconded the motion.** Discussion followed: 1) Given the scope of the audit, Tanimoto felt that Ching's inquiry regarding the main purpose or duty of the PIGroup was fairly open ended. Ching noted that a timeline is also an important factor. 2) In regards to the audit, Nekota understood that it would appear on the Council agenda for October; and also that a working plan by the Commissioners and the NCO would certainly show a sense of good faith that something is in place and being worked on. Awareness and concern were expressed relating to the elimination of the Neighborhood Board System. 3) Gall announced that Council would be hearing the resolution for adoption on September 6; and Heinrich verified the hearing date. According to Smyth, the Auditor's asked that a separate meeting be held to present their report. 4) Regarding a timeline raised by Ching, Cruz Vina, Jr., secretary of the Pearl City Neighborhood Board No. 21, stated the resolution mentioned a December 31, 2007 deadline; and suggested lining up strategies by mid-October. 5) In spite of what actions Council might take, the Commission can still take a position with respect to the resolution. 6) Ure said the resolution is with a committee of the City Council, and will not be received by Council until after it's gone to committee. Therefore, you will not know until you see the agenda, which was the surprise this month. Full Council still has to hear it. 7) Apisa encouraged addressing what's on the floor now - voting whether the Commission wishes to establish a PIGroup, which is not talking of any dates or timelines at this time, but establishing that later. Tanimoto agreed. 8) Heinrich appreciated Apisa's comment and noted that the PIGroup is definitely independent of anything else, but is needed in order to consider the audit. Secondly, the Committee on Executive Matters did report out the resolution for adoption. If the Council takes it up at the next Council hearing, he fully expects that the Council will adopt that resolution on September 6; only one reading for a resolution is necessary. 9) Smyth commented on two things being addressed in items A and B: a) whether the Council does nothing about the audit, however, the Commission will still need to address the audit, hence the purpose of the PIGroup to address the audit itself; and b) with the resolution, it has more to do with the wording itself than the processes that the resolution will lead to. In any case, Council is going to pass out the resolution, and the Commission should still take a position on it. Because of the timing, Tanimoto said the Commission had not taken a position; so with that being said, Tanimoto referred back to the motion currently on the floor. **The motion carried by unanimous consent, 9-0-0. Aye:** Apisa, Ching, Gall, Kaahanui, Makapagal, Nekota, Sakamoto, Tanimoto and Young.

**Commission Response to Council Resolution 06-291, "Establishing a Task Force To Review the Effectiveness and Efficiency of the Neighborhood Board System" – Gall moved, that the Neighborhood Commission request that the City Council defer implementation of Council Resolution 06-291 – relating for ninety (90) days in order that the Commission and the Executive Secretary may continue to evaluate the City Auditors Report; Apisa seconded the motion.** Discussion followed: Hearing Smyth's comments regarding the passage of the resolution by Council, Gall thinks that if the Commission approves this motion that it sends a strong enough message to City Council. **The motion carried by unanimous consent, 9-0-0. Aye:** Apisa, Ching, Gall, Kaahanui, Makapagal, Nekota, Sakamoto, Tanimoto and Young.

Chair Tanimoto commented on the process of the PIGroup – in general, this group should be complete with their findings by June 2007; come back before the Commission with their recommendations. Chair Tanimoto appointed the following Commission members to the PIGroup to address the audit: Commissioners Nekota (Chair), Ching and Makapagal. No questions followed.

**Kalihi-Palama Neighborhood Board No. 15 – Filling of Vacant Seat due to the lack of Quorum –** Manke reported one of the first things brought to her attention, when filling the Executive Secretary position in January 2006, was the lack of quorum on some of the Boards; and historically, the Kalihi-Palama Neighborhood Board No. 15 has not been able to take any action since the last election in 2005. In looking at the way the Neighborhood Plan is written, it offers no real solution and in order to declare any seat vacant due to board member absences, a quorum is necessary. There had also been members in the community wanting to serve and fill those vacancies, and more recently, the NCO was able to resolve the matter where the number of seats filled has fallen below the quorum. And because of this, the NCO is looking at Section 3-9.4 of the Neighborhood Plan which says – if the number of vacancies is such that the remaining members do not constitute a quorum, the commission shall – do one of the three options listed; and in this case, item (a) certify as elected one or more unsuccessful candidates receiving the next highest number of votes in the last election to fill the vacancies necessary to constitute a quorum. But in the election of 2005 the race was uncontested race and therefore no list from which to select. However, in deliberation with Corporation Counsel, the NCO looked at the previous election of 2003 and there were two individuals and the top person was Darryn Ng. Contacts with Mr. Ng found that he is willing to serve.

Others options in the plan: (b) called for a special neighborhood board election to fill the vacancy; or (c) suspension of the board for its tenure of office. The option of calling a special election would be costly at this point; and the suspension of the board would deny the community representation. Manke is hoping that the Commission will step forward and certify Mr. Ng to the Kalihi-Palama Neighborhood Board No. 15.

Mr. Ng was open to answer questions from the Commission. Commissioner Ching asked for a brief introduction of himself. On top of being a past member of the Kalihi-Palama Neighborhood Board, Mr. Ng also participated with the Adopt-a-Block and the Neighborhood Security Watch; and a participant for the caring of the last remaining "lo'i kalo" in Honolulu, along with kids from the Kapalama and Fern Schools.

**Gall moved that the Neighborhood Commission appoint Mr. Darryn Ng to the Kalihi-Palama Neighborhood Board No. 15; Sakamoto seconded the motion.** Commissioner Ching called for the question. **The motion carried by unanimous consent, 9-0-0. Aye:** Apisa, Ching, Gall, Kaahanui, Makapagal, Nekota, Sakamoto, Tanimoto and Young. A brief recess ensued while Neighborhood Assistant Richardson verified Ng's qualifications and administered the Oath of Office; following that Ng was congratulated.

**Approval of Regular Meeting Minutes of July 24, 2006** – Tanimoto asked if there are corrections to the minutes. Hearing no objections, the Regular Meeting Minutes of July 24, 2006 were approved.

#### **PUBLIC CONCERNS:**

1. Albert Furuto (McCully-Mo'ili'ili Neighborhood Board No. 8) expressed concern and frustration: a) about his request to put items on the agenda; and b) a request to send thank you letters to community individuals. He hoped that the Plan could address these matters.
2. Linda Wong asked for the names of the Council Task Force for the audit; and noted the following: ex-NCO Commissioner Roy Wickramaratna, Kyle Chock, Kathleen Pahinui, Jamie Harvest-Silva, and James Wood. Chair Tanimoto advised that discussions indicated an increase from five members plus one (Executive Secretary Joan Manke, as ex-officio), to seven members plus one. Wong was interested in the names of the other two members and was referred by the Council Clerk's office to the NCO for that information. Manke clarified that it is a Council resolution and the call of the Council Chair. Wong also shared an interest to participate with the PIGroup for the audit; Tanimoto acknowledged her request and interest to participate. Wong also noted submitting testimony and will continue to submit more; also that the audit was pretty good.
3. Ray Gruntz would like an official ruling regarding board member absences. Gruntz stated the Chair of the Waikiki Neighborhood Board No. 9 has had disagreements regarding the matter and has on a number of occasions excused board members for their absence. But the way the Plan reads, Gruntz feels that the interpretation is clear and he would like to have some kind of ruling. A formal memo from the Executive Secretary will be forwarded to Corporation Counsel.
4. Debbi Glanstein mentioned another election cycle is coming up and she cited the last election and the problems incurred; and asked how the NCO will address the process this time. Gall said that a Chief Monitoring Officer is appointed. He also suggested, as part of the monitoring, perhaps involving two or three commissioners as well. Glanstein said such additional layer of accountability may help. Ching inquired whether neighborhood board elections could be included with the State election. Tanimoto was uncertain, but stated that this was something to be addressed at a later time.
5. Before leaving tonight, Nekota wanted to set a date for the PIGroup meeting of the audit. The group agreed on Tuesday, September 5 at 6 p.m.

**ADJOURNEMENT:** Since there was no other Commission business, the meeting adjourned at 8:10 p.m.

Submitted by,  
Marie Richardson, Neighborhood Assistant and

Reviewed by,  
Commission Chair Grant Tanimoto